

SB 5060-S.E - DIGEST

(DIGEST AS ENACTED)

Provides that the use of automated traffic safety cameras is subject to the following regulations: (1) The appropriate local legislative authority must first enact an ordinance allowing for their use to detect one or more of the following: Stoplight or railroad crossing violations.

(2) Use of automated traffic safety cameras is restricted to two-arterial intersections, railroad crossings, and school speed zones only.

(3) Automated traffic safety cameras may take pictures of the vehicle and vehicle license plate and only while an infraction is occurring. The picture must not reveal the face of the driver or of passengers in the vehicle.

(4) The ordinance enacted by the local legislative authority may provide that automated traffic safety cameras may take pictures of the vehicle and vehicle license plate while an infraction is occurring.

(5) A notice of an infraction must be mailed to the registered owner of the vehicle within fourteen days of the infraction occurring.

(6) A person receiving an automated traffic infraction notice based on evidence detected by an automated traffic safety camera may respond to the notice by mail.

(7) The registered owner of a vehicle is responsible for an infraction under RCW 46.63.030(1)(e) unless the registered owner overcomes the presumption in RCW 46.63.075, or, in the case of a rental car business, satisfies the conditions under this act. If appropriate under the circumstances, a renter identified under this act is responsible for an infraction.

(8) Notwithstanding any other provision of law, all photographs, microphotographs, or electronic images prepared under this section are for the exclusive use of law enforcement in the discharge of duties under this section and are not open to the public and may not be used in a court in a pending action or proceeding unless the action or proceeding relates to a violation under this act. No photograph, microphotograph, or electronic image may be used for any purpose other than enforcement of violations under this act nor retained longer than necessary to enforce this act.

(9) All locations where an automated traffic safety camera is used must be clearly marked by placing signs in locations that clearly indicate to a driver that he or she is entering a zone where traffic laws are enforced by an automated traffic safety camera.

(10) If a county or city has established an authorized automated traffic safety camera program under this act, the compensation paid to the manufacturer or vendor of the equipment used must be based only upon the value of the equipment and services provided or rendered in support of the system, and may not be based upon a portion of the fine or civil penalty imposed or the

revenue generated by the equipment.